detecting unit configured to detect a number of usable channels based on a negotiation between the connected another communication apparatus and a relay station being connected to the connected another communication apparatus; and

selecting unit configured to select a communication rate based on the notifying number of usable channels and the detected number of usable channels.

2. (Amended) The communication apparatus according to claim 1, wherein the selecting unit selects the communication rate based on the notifying number.

3. (Amended) The communication apparatus according to claim 1, wherein the selecting unit selects the communication rate based on the detected number.

4. (Amended) The communication apparatus according to claim 1, wherein the notifying unit sets the notifying number of usable channels in control information being transmitted to the connected another communication apparatus.

5. (Amended) The communication apparatus according to claim 1, wherein the detecting unit detects the number of the channels in control information being received from the connected another communication apparatus.

6. (Amended) A method in a communication apparatus for communicating over a plurality of channels, the method comprising:

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

notifying a connected another communication apparatus of a number of usable channels based on a negotiation between the communication apparatus and a relay station being connected to the communication apparatus;

detecting a number of useable channels based on a negotiation between the connected another communication apparatus and a relay station being connected to the connected another communication apparatus; and

selecting a communication rate based on the notifying number of usable channels and the detected number of usable channels.

11. (New) The method according to claim 6, wherein the communication rate is selected based on the notifying number.

12. (New) The method according to claim 6, wherein the communication rate is selected based on the detected number.

13. (New) The method according to claim 6, wherein the notifying number of usable channels is set in control information being transmitted to the connected another communication apparatus.

14. (New) The method according to claim 6, wherein the detecting number is set in control information being received from the connected another communication apparatus.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

15. (New) The method according to claim 6, wherein a number of usable channels assigned by a relay station being connected to the communication apparatus is notified to the connected another communication apparatus.

16. (New) The method according to claim 6, wherein a number of usable channels set by the communication apparatus is notified to the connected another communication apparatus.

17. (New) The method according to claim 6, wherein a number of usable channels assigned by a relay station is detected, the relay station being connected to the connected another communication apparatus.

Q2

18. (New) The method according to claim 6, wherein a number of usable channels set by the connected another communication apparatus is detected.

19. (New) The communication apparatus according to claim 1, wherein the notifying unit notifies the connected another communication apparatus of a number of usable channels assigned by a relay station being connected to the communication apparatus.

20. (New) The communication apparatus according to claim 1, wherein the notifying unit notifies the connected another communication apparatus of a number of usable channels set by the communication apparatus.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

21. (New) The communication apparatus according to claim 1, wherein the detecting unit detects a number of usable channels assigned by a relay station being connected to the connected another communication apparatus.

22. (New) The communication apparatus according to claim 1, wherein the detecting unit detects a number of usable channels set by the connected another communication apparatus.

23. (New) A control unit in a communication apparatus for communicating over a plurality of channels, the apparatus comprising:

notifying unit configured to notify a connected another communication apparatus of a number of usable channels based on a negotiation between the communication apparatus and a relay station being connected to the communication apparatus;

detecting unit configured to detect a number of usable channels based on a negotiation between the connected another communication apparatus and a relay station being connected to the connected another communication apparatus; and

selecting unit configured to select a communication rate based on the notifying number of usable channels and the detected number of usable channels.

24. (New) The control unit according to claim 23, wherein the selecting unit selects the communication rate based on the notifying number.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

25. (New) The control unit according to claim 23, wherein the selecting unit selects the communication rate based on the detected number.

26. (New) The control unit according to claim 23, wherein the notifying unit set the notifying number of usable channels in control information being transmitted to the connected another communication apparatus.

27. (New) The control unit according to claim 23, wherein the detecting unit detects the number of the channels in control information being received from the connected another communication apparatus.

IN THE ABSTRACT

Please replace the Abstract with the following page.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com